

**January 17, 2011**

Pursuant to adjournment comes now the Starke County Board of Commissioners and meet in regular session at 7:00 p.m. in the Annex meeting room, Knox, Indiana, with Dan Bridegroom, Kathy Norem, and Jennifer Davis present and the following proceedings were held to wit:

**RE: DAVIS RESIGNATION FROM HEALTH BOARD:**

The meeting was called to order at 7:03PM. Jennifer Davis turned over to the Board, her resignation from the Starke County Health Board, effective immediately. She stated she believed there was a conflict between both being on the Board of Commissioners and having a position on the Starke County Health Board. She offered to continue attending the Health Board meetings as a liaison for the Commissioners.

The Board accepted her resignation.

**RE: PUBLIC HEARING ON STARKE COUNTY BURN ORDINANCE:**

Kathy Norem made the motion to open the Public Hearing on the Starke County Burn Ordinance. Jennifer Davis seconded the motion. The motion passed. Discussion from the public began at 7:05PM.

Mr. Bridegroom advised those in attendance to limit their discussion time to 3-5 mins.

He also advised the new Starke County Burn Ordinance is mirroring the State of Indiana's Burn Ordinance. The county ordinance will automatically change when the state changes theirs.

Mr. Rich Wieczorak started the discussion by saying he agreed with the ordinance but his concern was who was going to enforce it. That was the biggest problem he has with it, he stated.

Dan responded, it would be enforced by the Starke County Sheriff's Dept., The Starke County Environmental Management Office, and the Starke County Health Dept. The Sheriff has had the right to enforce the ordinance. They are not going to hire someone to enforce, such as a "trash barrel cop". Their concern was to stop people from dumping and burning tires, and demolished an old building by burning it down.

Carrie Trent, of the Starke County Environmental Office stated the Sheriff's Dept. is the lead enforcer

Rich stated he disagrees with having three agencies to enforce it.

Jennifer Davis stated she has talked to Oscar, and his department will take the lead.

Alvin Pollock lives on CR150N, inquired as to what can be burned.

Mr. Bridegroom advised what can be burned is defined in Section III, Definition A of the State ordinance. It allows the burning of leaves, brush, and clean wood.

Marty Lucas advised the only condition with the burning, is that the size of the brush pile is limited.

Marion Price stated no place in the document she saw did it state anything about burning leaves. Mr. Bridegroom stated it is in Indiana Code 326 Chapter 4.

Mr. Lucas also stated Indiana Code 4-1-3, section 4E. It allows farm, and orchard burning but not in windy conditions. But it was discovered those in attendance were looking at a portion of the ordinance that talked about enforcement, not what could be burned. Mr. Lucas also advised the main restriction to farmers was the size of the brush pile: not to exceed 1000 cubic feet. Anything over 1000 cubic feet would need a permit.

Millard Spicka of CR150N stated he believes it is a waste for the Sheriff's Dept. to come out when someone calls because they see smoke. Mr. Bridegroom advised him to call ahead to the Starke County Police Dept. to tell them you are going to burn. Just to advise them, not ask for their permission.

Larry Wappel of San Pierre stated he already calls ahead to the Starke County Police Dept. before he is going to burn. He also watches the weather. His concern is over the size of the burn pile, and over 1000 cubic feet you would need a permit to burn. Mr. Bridegroom stated it was state regulations. Mr. Wappel inquired as to what the permit process was. Mr. Lucas stated that was a good question, and would look into the process.

Eric Wappel of 375W. North Judson stated he is currently on the North Judson Fire Dept. and inquired in the local fire departments could issue tickets instead of the police department since they would most likely be responding to the calls first. Mr. Lucas advised they could do that and then report to the State Environmental Agency, and then call in the police department if the burner is not cooperative.

Eric inquired what do they do if they receive a call that someone is burning and the smoke is bothering the neighbors. Marty replied that it will have to be handled on a case by case basis as to what is reasonable.

The residents on CR150N inquired as to what happens when they are burning and the wind shifts after the burning has started? Mr. Lucas responded it is the responsibility not to cause problems for your neighbors.

They also stated that during the recent burning ban in the county there was confusion from the police department as to when the county burning ban was over.

They inquired why they are charged from the fire department is they come out, when they are doing a legal burn, but their neighbors are complaining. They would like the people complaining to have to pay the fine, if it is a legal burn.

Ted Bombagetti, with 32 years fire department experience, stated the fire department get the details of the call before they respond. He stated it is not a complaint in there are no details, no names, and also no one is billed. He stated you need to be a responsible burner.

An inquiry was made as to why the recent county burn ban was not in the newspapers. How was it announced. Ted Bombagetti stated they use WKVI to report a ban because it is much quicker, and faster in an emergency situation. Terry Turner stated it was published in the Newshawk.

Eric Wappel inquired since there is a state ordinance, why is there a need for a local one.

Mr. Lucas responded we need to have a local mechanism for practical enforcement.

Dan Bridegroom concluded the hearing by saying the Starke County Health Dept., the Starke County Sheriff's Dept. and the Starke County Environmental Management office only can enforce the ordinance. The fire departments can make a report and send it to the three agencies, they, the three agencies, then in turn have the authority to act on it.

He also stated there are a lot of super people in the county and this new ordinance was not created for them.

Jennifer Davis made a motion to close the hearing, seconded by Kathy Norem.

The public hearing portion of the Board meeting closed at 7:50pm.

A brief recess was held.

The meeting reconvened at 8:04pm.

### **RE: Board Minutes**

It was noted on the draft of the minutes from the Jan. 3, 2011 meeting, two corrections need to be addressed. LaDonna Bradley was not appointed by the Board of Commissions to the Community Corrections Board. They just announced at that meeting that she was to be on the Board. Also, in the public discussion portion of the minutes, Kathy Norem clarified that Harrison Field disagrees with the fact that you are not allowed to make a verbal complaint to the Planning Commission. She also disagrees with that fact.

Kathy made a motion to accept the minutes as written, Jennifer seconded the motion.

The board then signed the final minutes from the Dec. 20<sup>th</sup> and Dec. 21<sup>st</sup>, 2010 meetings, and initialed the draft of the Jan. 3, 2011 minutes.

### **RE: PAYROLL CLAIMS**

Regarding the pay claim from Jan. 8, 2011, in the amount of \$ 155,819.50, Dan stated he previously had a question, but the answer was explained to him by Dona. She explained the pay is divided into 26 pay periods per year. That is the way it was done in previous years also.

Kathy did inquire as to why Oscar Cowen had received two checks, one from the Sheriff's fund, 005-1000.01 and one from the jail fund, 027-3000-08. She believed it could be from December. Kathy made a motion to approve the payroll except for the jail fund check for prisoner's meals, until it could be investigated further. Jennifer seconded the motion. The motion passed.

### **RE: BOB SMITH, IT**

Bob Smith appeared before the Board to request signatures on the following agreements: a lease agreement with IKON for the probation department, a maintenance agreement with CSI—Computer Systems, docuware software support with Information & Records Associates, and a software license agreement with Microvote Election Management System. A contract with Vermillion was postponed at this time after Mr. Lucas questioned the contents of the agreement. All documents were signed by Dan Bridegroom, President.

Also discussed was the project of video arraignments. A price quote was obtained from Vermillion Systems of Walkerton, IN. The project would eliminate the need for prisoners to personally appear in the different courts. There would not be any more chain gangs. The total expense of the project is \$ 6061.00.

Kathy advised that Judge Hasnerl, of Knox City Court offered to pay 1/3 of the invoice from his pre-trial diversion fund. She asked the prosecutor, Mr. Bourff, if he would also pay 1/3 from his pre-trial diversion fund. He said he also would.

Since Judge Hall doesn't have access to the same type of funds, she felt that the county could pay the other 1/3 of the invoice. Jennifer made the motion to have the county pay 1/3, and Kathy seconded the motion. Kathy advised Bob the whole amount would need to be advertised before it went before the Council. It would be funded by the Cum. Capital Fund.

### **RE: JACKSON TWP. ADVISORY BOARD**

Mr. Bridegroom advised it was important to fill the vacancies on the Jackson Township Advisory Board that were left open after the fall election. Marilyn Lockridge, the Jackson Township Trustee, recommended Tara Pitts, a democrat, and Michelle Hounshell, a republican fill the positions. She

needed the positions filled ASAP as there is a report that needs their signature. The last day for signing the report is Jan. 18th.

Kenny Wallace also stated he told Mrs. Lockridge to have the Commissioner's appoint the advisory board replacements.

Kathy stated she hadn't heard back from Brenda Stanojevic

She then called Don White during the meeting. Following the discussion,

Kathy made the motion to place Pitts and Hounshell on the Jackson Township Advisory Board; Jennifer seconded the motion.

**RE: VISITOR'S ASSOCIATION BOARD:**

Mr. Bridegroom advised he has two names submitted for the Visitor's Board but they need to be checked out yet. No action was taken.

Also, no action was taken for the certification on the Aviation Board.

**RE: OTHER ACTION TAKEN:**

The Board signed the CIGNA HRA Agreement.

They also signed a letter of support concerning the dredging of Koontz Lake.

They signed a declaration of Bev Frain to replace Madge Whickcar on the Starke County Health Board.

They also discussed the fact that Dave Singleton, the County Sanitarian, is resigning as of Feb. 28, 2011. They would like for him to attend the Feb. AM meeting, to acknowledge and thank him for his long years of service.

Dan Bridegroom and Marty Lucas both advised they had talked to Judge Kim Hall regarding the court and the county employee handbook. Both felt they had reached an understanding with the judge.

**RE: CLEANING THE COURTHOUSE**

Kathy advised she had scheduled a meeting for that morning between Kim Kennedy of the Community Corrections Office; Courthouse Maintenance Person, Carl; and herself, but Kim didn't show. Mr. Bridegroom advised they need a maintenance schedule set up.

**PUBLIC COMMENTS:**

Kenny Wallace inquired as to who do you contact if you have someone to do community service. He had received a call from Julie Manns, the Center Township Trustee that she had people needing to do community service. Jennifer Davis said she also received a call from her and had placed calls to see if anyone was needing help. It was determined, in this weather, there wasn't much work that needed to be done. Kathy stated she would like to see a list of anyone that was needing work done.

**IN OTHER ACTION:**

Michelle Snowdon, with the Energy Grant, requested the Commissioners approve a bill for payment: the invoice from Banner Electric. If it is approved tonight, it could be processed Friday when the weekly utility payments are made. She needs to send in a copy of the check to receive reimbursement from the grant. The request to pay the invoice was approved.

**RE: ANIMAL CONTROL**

Mr. Bridegroom read the December report from Animal Control Officer, Thomas Bazant.. A total of \$ 194.80 was spent by that department. Mr. Bridegroom also stated he had requested a copy of the log from the Sheriff's Department to see when the calls regarding animal control were dispatched and he has not yet received a response.

Kathy stated there needs to be better parameters set up for that department. Mr. Bridegroom stated there needs to be better communications with the dispatchers, and they need to distinguish between animal control issues and Humane Society cases.

Jennifer stated she will check with the surrounding counties to see how they handle their Animal Control departments.

**RE: GEORGE LAUSTEN**

Mr. Bridegroom advised he had received correspondence from Mr. Lausten. It appears he has done everything that was asked of him. Mr. Lausten owns property where the road dead ends and will have Marty look into the situation.

Mr. Lucas advised he will handle the situation. A notice will be sent to adjoining land owners.

**RE: IN OTHER ACTION:** Jennifer announced it had been brought to her attention the outside button to operate the door for the disabled was not functioning properly at the courthouse. She had received a price quote to repair it from Specialty Interest Technology LLC in the amount of \$ 642. Kathy made the motion to have the button repaired, and Jennifer seconded the motion.

**RE: BASS LAKE**

Dan advised he had met with the DNR to discuss the situation at Bass Lake. He stated they are working on the two piers that are already there. Mr. Wallsmith is handling the situation. They are trying to find the property boundary lines on the east and west sides.

**RE: HEALTH BOARD:**

Jennifer reported that she had attended the first meeting of the Starke County Health Board. They had elected officers at that meeting. Jennifer was impressed with the hard work the board is doing. Frank Lynch appeared before the Board to request the renewal of the Food Inspector, Dave Kesvornas. Jennifer stated she would like to see the contract date run concurrently with the dates of the liability insurance.

Kathy made the motion to renew the contract of the food inspector, Jennifer seconded the motion. The contract was renewed.

**RE: IN OTHER BUSINESS:**

A written request for keys was submitted by the Deputy Auditor, Rebecca Wagner.

Kathy made a motion to allow the request, and Jennifer seconded the motion.

Terry Turner, of the Newshawk newspaper, requested the snow be removed and the wreaths straightened up in front of the monument of the grounds of the Courthouse.

Kathy advised she would talk to Carl.

Ted Hayes, of WKVI radio, inquired as how Starke County is preparing for security control at the courthouse. He advised he is aware that a lot of public buildings now have some sort of metal detection to pass through before entering the building.

Kathy advised Ted Bombagetti has already discussed that same situation. He would like to set up a committee to oversee it. Kathy volunteered to be on the committee.

With there being no further business, the meeting was adjourned at 9:40PM.

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Dan Bridegroom, President

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Kathy Norem, Vice President

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Jennifer Davis, Member

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Katherine Chaffins, Auditor  
Secretary to the Commissioners